



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK
Governor

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Secretary

DAVID W. CASH
Commissioner

NOTICE

Public notice of a modification request to a hazardous waste management facility license and public information meeting relative thereto pursuant to Massachusetts General Law Chapter 21C and Massachusetts hazardous waste regulation 310 CMR 30.852.

Facility License Number: 34B/2013, Facility EPA ID Number MAD047075734

Name and Location of Facility: Triumvirate Environmental (Merrimack), Inc.
263 Howard Street
Lowell, MA 01852

Proposed: Triumvirate Environmental (Merrimack), Inc. (“Triumvirate” or “TEI”) is a hazardous waste storage facility operating under the terms of a Massachusetts Hazardous Waste Facility License. Triumvirate proposes modification to its license as follows:

Add the authority to store biological/medical waste contaminated with hazardous waste: This material would be handled, stored and disposed in the same manner as hazardous waste while also ensuring the infectious hazard is also treated. Under the Massachusetts Department of Public Health Regulations, 105 CMR 480.020(B), medical waste that is contained in a mixture with hazardous waste is not subject to 105 CMR 480.000, and is regulated as hazardous waste and not as a medical waste.

Add the authority to empty and remove the valves from inert cylinders: TEI would empty and de-valve full and partially full small and lecture size gas cylinders containing inert, atmospheric gases such as Nitrogen, Helium, Carbon Dioxide, and Argon. Received cylinders will be tested for the amount of gas remaining, emptied, and then the valves removed in order to facilitate the recycling and disposal of the cylinders as scrap metal. TEI has standard operating procedures to test valves for proper operation (i.e. not plugged) prior to de-valving the cylinders to ensure safety.

To amend the truck-to-truck transfer requirements in the Truck Management Plan to allow truck to truck transfers of biological/medical waste containers: TEI would transfer containerized medical waste from smaller vehicles into tractor trailer units to provide efficient transportation to a disposal facility. TEI would handle this material in the same manner as it currently handles other wastes that are transferred under the Truck Management Plan. At no time will these containers be opened. The containers will only be transferred between trucks. TEI would ship the medical waste as often as required to eliminate the potential for odor issues. This plan has been approved by the Lowell Fire Department and Lowell Board of Health. All other requirements of the Truck Management Plan will remain in effect.

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TDD# 1-866-539-7622 or 1-617-574-6868
MassDEP Website: www.mass.gov/dep

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This is a Class 2 modification, and pursuant to 310 CMR 30.852(3)(e), the public has 60 days to comment on this modification request:

An informational **PUBLIC MEETING** on this modification request is scheduled for October, 21, 2014, at 7:00PM at the:

LRTA Community Room
100 Hale Street
Lowell, MA 01852

The purpose of the meeting is to enable the Department to explain the modification process and enable the licensee and the public to exchange views on the permit modification request.

Any member of the public wishing to comment on the Class 2 modification request must file written comments during the 60 day public comment period which will begin on September 16, 2014 and end on November 17, 2014. Comments should be submitted to:

Department of Environmental Protection
Bureau of Waste Prevention-Business Compliance Division
One Winter Street, 7th Floor
Boston, MA 02108
Attn: James Paterson

The Department contact person in this matter is James Paterson, (617) 556-1096. The Triumvirate contact person is Steven Powers, (978) 453-7772.

The modification request and supporting documents are available for viewing and copying at the Lowell Board of Health, Lowell Public Library, the DEP Boston Office identified above, and the DEP Regional Office at 205B Lowell St., Wilmington, MA. Anyone wishing to examine the modification request and the supporting documents may do so at these locations. The licensee's compliance history during the life of the license being modified is available from the Department contact person.

The Department will consider all written comments it receives during the comment period, and will respond in writing to the applicant and to each person who has submitted written comments, or has otherwise requested notice of the final license modification determination.

After the conclusion of the comment period, the Department shall grant or deny the license modification request according to the license modification procedures of 310 CMR 30.830 through 30.840. In accordance with these regulations, the Department will provide public notice of a draft license modification decision, allow a 45 day public comment period, schedule an informal public hearing, if requested, prepare a fact sheet describing the license modification, and review comments and make a final license decision. The license modifications will become effective 21 days after the final license decision, unless an appeal is made.

The Department will notify persons on the facility mailing list within 10 days of any decision to grant or deny the license modification request. The final license decision shall become effective 21 days after the date of the notice of the decision is sent unless a request for an adjudicatory hearing is made pursuant to M.G.L. c.21c and c.30A, and 310 CMR 1.00.